

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**CREIGHTON SAINT JOSEPH REGIONAL  
HEALTHCARE, LLC d/b/a SAINT JOSEPH  
HOSPITAL - CREIGHTON UNIVERSITY  
MEDICAL CENTER ,**

**Plaintiff,**

**v.**

**LAKELAND ENGINEERING EQUIPMENT  
COMPANY, LAKELAND ENGINEERING  
EQUIPMENT COMPANY EMPLOYEE  
BENEFIT PLAN, and PREFERRED ONE  
ADMINISTRATIVE SERVICES, INC.,**

**Defendants.**

**CASE NO. 8:07CV113**

**ORDER TO PLAINTIFF  
TO SUPPLEMENT ITS  
JURISDICTIONAL STATEMENT  
TO ENSURE DIVERSITY  
OF PARTIES**

This matter is before the Court on its own motion. A review of the file shows that the Plaintiff, Creighton Saint Joseph Regional Healthcare, LLC, d/b/a Saint Joseph Hospital - Creighton University Medical Center, is a Limited Liability Company. The Court has an obligation to ensure that subject matter jurisdiction exists. *See Sanders v. Clemco Industries*, 823 F.2d 214, 216 (8<sup>th</sup> Cir. 1987) ("The threshold requirement in every federal case is jurisdiction and we have admonished the district court to be attentive to a satisfaction of jurisdiction requirements in all cases."). It is the plaintiff's burden to plead the citizenship of the parties in attempting to invoke diversity jurisdiction. *See Walker v. Norwest Corp.*, 108 F.3d 158, 161 (8<sup>th</sup> Cir. 1997); Fed. R. Civ. P. 8(a)(1).

It is the citizenship of a Limited Liability Company's members - not the state in which the company was formed - that is relevant for purposes of establishing diversity jurisdiction. *See GMAC Commercial Credit LLC v. Dillard Dept. Stores, Inc.*, 357 F.3d 827, 828-29 (8<sup>th</sup> Cir. 2004). Thus, to establish diversity, the plaintiff must allege the citizenship of each

member of the Plaintiff, Creighton Saint Joseph Regional Healthcare, LLC, d/b/a Saint Joseph Hospital - Creighton University Medical Center, and must show that no such member is a citizen of any state of which any Defendant is a citizen. *See Capitol Indemnity Corp. v. Russellville Steel Co, Inc.*, 367 F.3d 831, 835 (8<sup>th</sup> Cir. 2004) (discussing requirement of complete diversity).

IT IS ORDERED that:

1. Plaintiff is directed to file a Supplementary Statement of Jurisdiction, on or before April 28, 2008, listing the citizenship of each member of Creighton Saint Joseph Regional Healthcare, LLC, d/b/a Saint Joseph Hospital - Creighton University Medical Center, to demonstrate complete diversity of the parties and to ensure this Court's subject matter jurisdiction.

DATED this 14<sup>th</sup> day of April, 2008.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge